IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 11173 of 2005

Between:

Udari Narasimha S/o. Yellaiah,
Occ: Agril, & Sarpanch of Lingojidudem

Village, Choutuppal Mandal, Nalgonda District.

PETITIONER

AND

1 The District Collector, Nalgonda.
2 The District Panchayat Officer, Nalgonda.
3 The Divisional Panchayat Officer, Bhongir, Nalgonda.
4 The Mandal Development Officer, Choutuppal Mandal, Nalgonda District.
5 The Government of Andhra Pradesh, Rep. by its Prl. Secretary, Panchayat Raj Department,

RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ of Mandamus or any other appropriate writ declaring the proceedings No. 899/04-A1(Pan), dt. 25-4-2005 passed by Respondent No.1 by holding the same as illegal, arbitrary, without authority of law, in violation of principles of natural justice, total non application of mind and against the provisions of section 249 of A.P. Panchayat Raj Act, 1994 and in action of respondent No.5 in not passing any order on my stay application or appeal filed by the petitioner against the order dt. 25-4-2005 passed by 1st Respondent or pass any other appropriate order or orders as this Hon'ble Court may deemed fit and proper in the interests of justice,.

Counsel for the Petitioner: MR.A.RAJASEKHAR REDDY

Counsel for the Respondent No.1 to 5: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court at the admission stage made the following :

ORDER:

The petitioner aggrieved of not passing interim orders by the 5th respondent, on the revision filed by the petitioner, the present writ petition is filed.

The petitioner who is Sarpanch of Lingojigudem village was suspended by the first respondent by order dated 25.4.2005 for a period of three months, for commission of irregularities, by him. Against that order, the petitioner filed revision dated 29.4.2005 before the 5th respondent under Sec. 264 of the A.P. Panchayat Raj Act, 1994, but no stay was granted by the Revisional Authority – 5th respondent. Aggrieved of the same, the petitioner came up with this writ petition.

Evidently, the revision is pending before the 5th respondent. Therefore, without going into merits or otherwise of the matter, I deem it appropriate to direct the 5th respondent to dispose of the revision within four weeks from the date of receipt of a copy of this order, in accordance with law, after affording opportunity to the petitioner.

The writ petition is accordingly disposed of. No order as to costs.

Elipe Dharma Rao, J.

June 8, 2005

To

1 The District Collector, Nalgonda.
2 The District Panchayat Officer, Nalgonda.
3 The Divisional Panchayat Officer, Bhongir, Nalgonda.
4 The Mandal Development Officer, Choutuppal Mandal, Nalgonda District.
5. 2 Copies to the Govt. Pleader for Panchayath Raj and Rural Development, A.P. High Court Buildings, Hyderabad.
6. 2 CD copies

*Form-NIC-OGS/WP{**VSMI**}*